



(56.)

At the Court at WHITEHALL,

December the Thirteenth, 1682.

Present,

The Kings most Excellent Majesty,

Lord Archbishop of Canterbury
Lord President
Lord Privy Seal
Duke of Ormond
Duke of Albemarle
Duke of Beaufort
Lord Chamberlain
Earl of Chesterfield
Earl of Sunderland
Earl of Clarendon

Earl of Bath
Earl of Craven
Earl of Conway
Earl of Rochester
Lord Viscount Fanconberg
Lord Finch
Lord Bishop of London
Lord Chief Justice North
Mr. Secretary Jenkins
Mr. Chancellor of the Exchequer

Mr. Godolphin.



Hereas it has been Represented to His Majesty, That by reason of the frequent Abuses of a lewd sort of People called Spirits, in Seducing many of His Majesties Subjects to go on Shipboard; where they have been Seized and Carried by Force to His Majesties Plantations in America; and that many idle persons who have Lifted themselves Voluntarily to be Transported thither, and have received Money upon their entring into Service for that purpose, have afterwards pretended they were Betrayed, and Carried away against their Wills, and procured their Friends to Prosecute the Merchants who Transported them, or in whose Service they are, by Indictments or Informations in the Crown Office in His Majesties Name, which is a great Discouragement to them, and an hindrance to the Management of the Trade of the said Plantations and Navigation of this Kingdom; And several Merchants and Planters having made Humble Applications to His Majesty, That he would be Graciously pleased to direct such Methods for their Retaining of Servants to Serve in His Majesties Plantations, as in His Royal Wisdom he should think meet, whereby His Majesty may be so satisfied of their Fair

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Dealing, as to take on all Prosecutions against them at His Majesties Suit, and also that the Scandal that now lies upon them in general, by reason of such Evil-disposed Persons, may not remain upon such as shall for the future follow such Methods as His Majesty shall think fit to be pursued.

His Majesty taking into His Royal Consideration the said Request, is Graciously pleased to Declare, That such Merchants, Factors, Masters of Ships, or other persons that shall use the Method hereafter following in the Hiring of Servants for His Majesties Plantations, shall not be Disquieted by any Suit on His Majesties behalf, but upon Certificate thereof, That He will cause all such Suits to be Stopped, to the end they may receive no further molestation thereby.

I. Such Servants are to be taken by Indenture, to be Executed by the Servant in the presence of the Magistrate or Magistrates hereafter appointed; One part thereof Signed by such Servant, and also Underwritten or Endorsed with the Name and Hand-writing of such Magistrate, which is to remain with the Clerk of the Peace, to be Returned to the next Sessions, there to be Filed upon a distinct File, and Numbred and kept with the Records.

II. The Clerk of the Peace is to keep a Fair Book, wherein the Name of the Person so Bound, and the Magistrates Name before whom the same was done, and the time and place of doing thereof, and the Number of the File shall be Entred; and for the more easie finding the same, the Entries are to be made Alphabetically, according to the first Letter of the Surname.

III. All Persons above the Age of One and twenty years, or who shall, upon View and Examination, appear to be so in the Judgment of the Magistrate, may be Bound in the presence of One Justice of the Peace, or of the Mayor or Chief Magistrate of the Place where they shall go on Shipboard, who is to be fully satisfied from him of his free and voluntary agreement to enter into the said Service.

IV. If any person be under the Age of One and twenty years, or shall appear so to be, he shall be Bound in the presence of the Lord Mayor of London, or one of the Judges, or an Alderman of London being a Justice of Peace, or the Recorder, or Two Justices of the Peace of any other County or Place, who shall carefully Examine whether the Person so to be Bound, have any Parents or Masters; And if he be not Free, they are not to take such Indenture, unless the Parents or Masters give their Consents, and some Person that knows the said Servant to be of the Name and Addition mentioned in the Indenture, is to Attest his said knowledge upon the said Indenture.

V. If the Person be under the Age of Fourteen years, unless his Parents shall be present, and consent, he is not to be carried on Shipboard till a Fortnight at least, after he becomes Bound, to the intent, that if there be any Abuse, it may be discovered before he be Transported. And where his Parents do not appear before the Magistrate, Notice is to be sent to them; or where they cannot be found, to the Church-Wardens or Overseers of the Parish where he was last Settled, in such manner as the said Magistrates shall think fit and direct.

And because Clerks of the Peace may conceive this not to be any part of the Duty of their Office, and may therefore exact unreafoable Rewards for their trouble and pains therein, His Majesty doth Declare, That if any Merchants or other Persons shall be aggrieved thereby, and upon Complaint to the Justices, cannot obtain Relief, His Majesty will take such further Care for their ease herein, as in His Royal Wisdom He shall think meet.

And His Majesties further Pleasure is, That this Order be Printed and Published, to the end all Persons whom it may concern, may take notice thereof, and Govern themselves accordingly.

FRANCIS GWYN.

LONDON,

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